

107TH CONGRESS
1ST SESSION

S. 1035

To establish programs to protect the resources of and areas surrounding
the Great Lakes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2001

Ms. STABENOW (for herself, Mr. FITZGERALD, Mr. LEVIN, Mr. KOHL, Mr. FEINGOLD, Mr. DAYTON, Mr. SCHUMER, Mr. BAYH and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing and Urban Affairs

A BILL

To establish programs to protect the resources of and areas
surrounding the Great Lakes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Great Lakes Preserva-
5 tion Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the Great Lakes are precious public natural
9 resources, and are renewable but finite bodies of

1 water that should be protected, conserved, and man-
2 aged for the use, benefit, and enjoyment of all
3 present and future generations of people of the
4 United States;

5 (2) the Great Lakes are crucial to the econo-
6 mies of the Great Lakes States for recreation, com-
7 mercial shipping, industrial, and agricultural uses;

8 (3) the Great Lakes contain $\frac{1}{5}$ of the world's
9 fresh water supply and are a vital source of safe
10 drinking water for millions of people;

11 (4) the Great Lakes Charter of 1985 is a vol-
12 untary international agreement that provides the
13 procedural framework for notice and consultation by
14 the Great Lakes States and the Great Lakes Prov-
15 inces concerning the diversion of the water of the
16 Great Lakes basin;

17 (5) the Governors of the Great Lakes States
18 and the Premiers of the Great Lakes Provinces have
19 based decisions on proposals to withdraw, divert, or
20 use Great Lakes water on the extent to which the
21 proposals conserve and protect water and water-de-
22 pendent natural resources of the Great Lakes basin;
23 and

24 (6) decisionmaking concerning Great Lakes
25 water should remain vested in the Governors of the

1 Great Lakes States, who manage the water and re-
2 sources on a day-to-day basis.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of the Environ-
7 mental Protection Agency.

8 (2) BULK FRESH WATER.—The term “bulk
9 fresh water” means fresh water extracted in quan-
10 tities intended for transportation by tanker or simi-
11 lar form of mass transportation, without further
12 processing.

13 (3) FROM THE GREAT LAKES BASIN.—The term
14 “from the Great Lakes basin”, with respect to
15 water, means—

16 (A) water from Lake Erie, Lake Huron,
17 Lake Michigan, Lake Ontario, Lake St. Clair,
18 or Lake Superior;

19 (B) water from any interconnecting water-
20 way within any watercourse that drains into or
21 between any of those lakes; and

22 (C) water from a tributary surface or un-
23 derground channel or area that drains into or
24 comprises part of any watershed that drains
25 into any of those lakes.

1 (4) GREAT LAKE.—The term “Great Lake”
2 means—

3 (A) Lake Erie;

4 (B) Lake Huron (including Lake Saint
5 Clair);

6 (C) Lake Michigan;

7 (D) Lake Ontario (including the Saint
8 Lawrence River from Lake Ontario to the 45th
9 parallel of latitude); and

10 (E) Lake Superior.

11 (5) GREAT LAKES PROVINCE.—The term
12 “Great Lakes Province” means the Province of On-
13 tario or Quebec, Canada.

14 (6) GREAT LAKES STATE.—The term “Great
15 Lakes State” means the State of Illinois, Indiana,
16 Michigan, Minnesota, New York, Ohio, Pennsyl-
17 vania, or Wisconsin.

18 (7) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior, acting through the Di-
20 rector of the National Park Service.

21 **SEC. 4. MORATORIUM ON EXPORT OF BULK FRESH WATER.**

22 (a) IN GENERAL.—Bulk fresh water from the Great
23 Lakes basin shall not be exported from the United States.

24 (b) SUNSET PROVISION.—Subsection (a) shall cease
25 to be effective on the date of enactment of an Act of Con-

1 gress approving the operation of a mechanism and con-
2 servation standard for making decisions concerning the
3 withdrawal, diversion, and use of water of the Great Lakes
4 that has been agreed to by each of the Governors of the
5 Great Lakes States, acting in cooperation with the Pre-
6 miers of the Great Lakes Provinces.

7 (c) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that the Federal Government should enter into an
9 agreement with the Government of Canada stating that
10 the United States and Canada shall abide by the terms
11 of the moratorium under subsection (a) until the date
12 specified in subsection (b).

13 **SEC. 5. PRESERVATION OF HISTORIC GREAT LAKES LIGHT-**
14 **HOUSES.**

15 (a) FINDINGS.—Congress finds that—

16 (1) the Great Lakes have greatly influenced set-
17 tlement, commerce, transportation, industry, and
18 recreation throughout the rich maritime history of
19 the Great Lakes States;

20 (2) lighthouses in Great Lakes States have
21 helped mariners navigate dangerous shoals and find
22 safe harbors for decades and are an important part
23 of the maritime history of the Great Lakes;

24 (3) many of the lighthouses have historical or
25 architectural significance; and

1 (4) the future of the lighthouses is uncertain
2 because many are in poor condition because of ne-
3 glect and deterioration.

4 (b) STUDY.—Not later than 3 years after the date
5 on which funds are made available to carry out this sec-
6 tion, the Secretary shall conduct and submit to Congress
7 a study to identify options to preserve the lighthouses in
8 the Great Lakes States.

9 (c) PROCEDURE.—In conducting the study under
10 subsection (b), the Secretary shall—

11 (1) review programs, policies, and standards of
12 the National Park Service to determine the most ap-
13 propriate means of ensuring that the lighthouses (in-
14 cluding any associated natural, cultural, and histor-
15 ical resources) are preserved; and

16 (2) consult with—

17 (A) State and local historical associations
18 and societies in the Great Lakes States;

19 (B) historic preservation agencies in the
20 Great Lakes States;

21 (C) the Commandant of the Coast Guard;
22 and

23 (D) other appropriate entities.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as are nec-
3 essary to carry out this section.

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